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No. 3379 P. 6/9

Application No.: 10/807,224
Attorney Docket No.: 25384A**REMARKS**

Support for the above-requested amendments to claim 1 is found at least in paragraph [0047] and Figure 1. Claims 3, 5, and 7 were amended to change grammatical phraseology and were not amended for any reason related to patentability. New claim 21 is supported at least by paragraph [0037]. Support for new claim 22 is found at least in paragraph [0040]. New claim 24 is supported at least by paragraph [0047]. Support for new claim 25 is found at least in paragraph [0046]. New claim 26 is supported at least by paragraph [0046]. Support for new claim 27 is found at least in paragraph [0047]. New claim 28 is supported at least by paragraph [0047] and Figure 1. Claims 8 – 20 have been canceled without prejudice. No question of new matter arises and entry of the amendments and of new claims 21 – 28 is respectfully requested.

Claims 1 – 7 and 21 – 28 are before the Examiner for consideration.

Addition of Claims 21 - 28

As shown above, Applicants have added new claims 21 - 28 by amendment and canceled claims 8 - 20. Applicants respectfully submit that there are no additional filing fees required for claims 21 - 28 because the total number of claims present in the application (*i.e.*, fifteen claims) is less than the total number of claims paid for in the application (*i.e.*, twenty claims). Because support for these newly added claims is found throughout the specification, as identified in the opening paragraph of the Remarks, Applicants respectfully submit that these newly added claims do not contain any new matter.

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Restriction Requirement

The Examiner has required an election in the above-identified application as follows:

Group I, Claims 1 – 7, drawn to a binder composition;

Group II, Claims 8 – 14, drawn to a glass fiber mat; and

Group III, Claims 15 – 20, drawn to a method of making a composition.

The Office indicates that during a telephone conversation with Maria Gasaway on August 19, 2005, a provisional election was made with traverse to prosecute the invention of Group I, claims 1 – 7. Additionally, the Office notes that claims 8 – 20 have been withdrawn from further consideration as being drawn to a non-elected invention.

In response to this restriction requirement, Applicants hereby affirm the election of Group I, claims 1 – 7 and cancel claims 8 – 20 without prejudice.

Rejection under 35 U.S.C. §102(e)

Claims 1 - 7 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application No. 2004/0122166 to O'Brien-Bernini, *et al.* ("O'Brien-Bernini"). It is asserted that O'Brien-Bernini discloses a polyacrylic acid based binder composition that includes a polyacrylic acid, a crosslinking agent (*e.g.*, triethanolamine or glycerol), a catalyst (*e.g.*, sodium hypophosphate or sodium phosphate), and an extender such as maltodextrin. It is further asserted that the maltodextrin:polyacrylic acid ratio is set at 1%, 5%, 15%, 30%, and 45%.

In response to this rejection, Applicants respectfully direct the Examiner's attention to independent claim 1 and submit that claim 1, as amended, defines a binder composition for glass fibers that is not taught (or suggested) by O'Brien-Bernini. O'Brien-Bernini teaches an extended binder composition that includes a polyacrylic acid, a crosslinking agent, one or

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more extenders, (e.g., water soluble materials such as lignins, low molecular weight starches, and soybean proteins), and optionally a catalyst. (See, e.g., Abstract and paragraphs [0020], [0027], [0030], [0031], and [0035]). The water soluble polysaccharide extenders that may be used in the extended binder composition of O'Brien-Bernini include starch, cellulose, gums, pectin, and gellan. (See, e.g., paragraph [0036]). In addition, it is preferred that the polysaccharide in the extended binder composition have a weight average molecular weight of not more than 10,000, and even more preferably, less than 5,000. (See, e.g., paragraph [0037]).

O'Brien-Bernini, however, does not teach (or suggest) a binder composition that includes (1) a pre-binder that has a polycarboxy polymer and a crosslinking agent and (2) a co-binder that may be a dextrin, a modified dextrin, and/or a maltodextrin in which the co-binder is present in the binder composition in an amount of at least about 50% as required by claim 1. In order for a reference to be anticipatory, each and every element of the claimed invention must be found within the four corners of the cited reference. Thus, because O'Brien-Bernini does not teach a binder composition that contains a co-binder that includes a dextrin, a modified dextrin, and/or maltodextrin in an amount of at least about 50% of the binder composition as required by claim 1, O'Brien-Bernini is not an anticipatory reference.

In view of the above, Applicants submit that claim 1, and all claims dependent therefrom, are not anticipated by O'Brien-Bernini and respectfully request that the Examiner reconsider and withdraw this rejection.

Conclusion

In light of the above, Applicants believe that this application is now in condition for allowance and therefore request favorable consideration.

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If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 50-0568 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

Date: 1-9-06



Maria Gasaway
Registration No. 51,721

Owens Corning
Patent Department, Bldg. 11
2790 Columbus Road
Granville, Ohio 43023
(740) 321-7213